



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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शिमला, सोमवार २२ नवम्बर, १९६५/१ अग्रहायण, १८८७

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**GOVERNMENT OF HIMACHAL PRADESH**

**VIDHAN SABHA SECRETARIAT**

**NOTIFICATIONS**

*Simla-4, the 12th November, 1965*

**No. 1-16/65-VS.**—In pursuance of sub-rule 2 of rule 157 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1964 read with section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) "The Rajasthan Weights and Measures (Enforcement) (Himachal Pradesh Amendment) Bill, 1965 (Bill No. 6 of 1965)" having received the assent of the President on the 26th October, 1965 is published as Act No. 6 of 1965 in the Himachal Pradesh Government Gazette for general information.

# THE RAJASTHAN WEIGHTS AND MEASURES (ENFORCEMENT) (HIMACHAL PRADESH AMENDMENT) ACT, 1965

(ACT No. 6 OF 1965)

AN

ACT

*to amend the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) as in force in the Union territory of Himachal Pradesh.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixteenth Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Rajasthan Weights and Measures (Enforcement) (Himachal Pradesh Amendment) Act, 1965.

(2) It shall come into force at once.

**2. Amendment of section 2.**—In section 2 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 as in force in the Union territory of Himachal Pradesh (here-in-after referred to as the principal Act), after clause (k) the following clause shall be inserted, namely:—

“(1) “Use in transaction for trade or commerce” means use for the purpose of determination or declaration of the quantity of anything in terms of measurement of length, area, volume, capacity or weight in relation to,

(i) any contract, whether by way of sale, exchange or otherwise, or

(ii) any payment, whether by way of royalty, toll, duty or any other dues connected with or forming part of such transaction.”

**3. Amendment of section 3.**—In section 3 of the principal Act,—

(i) In sub-section (1), the words “and special sets of working standards in relation to bullion and precious stones may also be prepared” shall be omitted.

(ii) In sub-section (4) the proviso shall be omitted.

**4. Amendment of section 7.**—In section 7 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Notwithstanding anything contained in any other law or any custom, usage or practice, no unit of mass or measure other than the standard weights or measures shall be used in any transactions for trade or commerce in any area or class of goods or undertakings in respect of which this Act has come into force or be kept in any premises where such transactions are usually conducted.”

**5. Amendment of section 14.**—In section 14 of the principal Act, after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that the Lieutenant Governor may, if he is satisfied that the size of any class of such packages or containers renders it impracticable to comply with the provisions of this section, by notification in the official Gazette, exempt such class from the operation of this section.”

**6. Amendment of section 23.**—In section 23 of the principal Act, after the words “other than one of the standard weights or measures”, the words, “or whoever after the commencement of this Act keeps any unit of mass or measure other than the standard weights or measures in any premises where such transactions are usually conducted” shall be inserted.

**7. Insertion of new section 37A.**—After section 37 of the principal Act, the following section shall be inserted, namely :—

“37 A. *Composition of offences.*—(1) Any offence punishable under sections 23, 24, 25, 27, 28, 32 or 34 other than a second or a subsequent offence under section 23 or section 25 may, either before or after the institution of the prosecution, be compounded by the Lieutenant Governor on payment of such sum as he thinks fit.

(2) On payment by the offender of such sum, the offender, if in custody, shall be set at liberty and if any proceedings in any criminal court have been instituted against the offender in respect of the offence the composition shall be deemed to amount to an acquittal and no further criminal proceedings shall be taken against him in respect of such offence.”

**8. Insertion of new section 44.**—After section 43 of the principal Act, the following section shall be inserted, namely :—

“44. *Saving.*—Nothing in this Act shall apply to weights or measures or weighing or measuring instruments used by or in any unit or establishment of the Armed Forces of the Union.”

**9. Modification throughout the Act.**—Throughout the Principal Act, for the words “SUPERINTENDENT OR SUPERINTENDENTS” wherever they occur, the words, “CONTROLLER OR CONTROLLERS” shall be substituted.

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*Simla-4 the 12th November, 1965*

**No. 1-15/65-VS.**—In pursuance of sub-rule 2 of rule 157 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1964 read with section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) “The Himachal Pradesh Land Revenue (Amendment) Bill, 1965 (Bill No. 7 of 1965)” as passed by the Legislative Assembly of the Himachal Pradesh having received the assent of the President on the 21st October, 1965 is published as Act No. 5 of 1965 in the Himachal Pradesh Government Gazette for general information.

**THE HIMACHAL PRADESH LAND REVENUE (AMENDMENT)  
ACT, 1965**

(ACT No. 5 OF 1965)

AN

ACT

*to amend the Himachal Pradesh Land Revenue Act, 1953 (6 of 1954)*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixteenth Year of the Republic of India as follows:—

**1. Short title.**—This Act may be called the Himachal Pradesh Land Revenue (Amendment) Act, 1965.

**2. Amendment of section 5.**—In section 5 of the Himachal Pradesh Land Revenue Act, 1953 (6 of 1954).—

(a) in sub-section (1) the words, “town or” shall be omitted ;

(b) after sub-section (2) the following explanation shall be inserted, namely:—

“*Explanation.*—For the purpose of this section a site within the limits of a municipality, a small town or a notified area shall not be deemed to be the site of a village.”

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*Simla-4, the 12th November, 1965*

**No. 1-17/65-VS.**—In pursuance of sub-rule 2 of rule 157 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1964 read with section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) “The Punjab Excise (Himachal Pradesh Amendment) Bill, 1965 (Bill No. 8 of 1965)” as passed by the Legislative Assembly of the Himachal Pradesh having received the assent of the President on the 27th October 1965 is published as Act No. 7 of 1965 in the Himachal Pradesh Government Gazette for general information.

THE PUNJAB EXCISE (HIMACHAL PRADESH AMENDMENT)

ACT, 1965

(ACT No. 7 OF 1965)

AN

ACT

*to amend the Punjab Excise Act, 1914 (I of 1914) as in force in the Union territory of Himachal Pradesh.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixteenth Year of the Republic of India as follows:—

**1. Short title.**—This Act may be called the Punjab Excise (Himachal Pradesh Amendment) Act, 1965.

**2. Amendment of section 68-A.**—For section 68-A of the Punjab Excise Act, 1914, as in force in the Union territory of Himachal Pradesh the following section shall be substituted, namely :—

**“68-A. Enhanced punishment for certain offences after previous conviction.**—Whoever having been convicted for an offence punishable under sub-section (1) of section 61 of this Act, is again convicted of an offence punishable under the said sub-section shall,—

(a) for a second offence be punished with not less than twice the punishment awarded to him on his first conviction; and

(b) for a third or subsequent offence be punished with not less than twice the punishment awarded to him on his second conviction or immediate last conviction:

Provided that the enhanced punishment does not exceed the imprisonment of three years and a fine of two thousand rupees:

Provided further that if on a previous conviction the sentence awarded was that of fine only, a sentence of imprisonment for a term which may extend to three years shall also be awarded on subsequent conviction and such sentence of imprisonment shall be in addition to the enhanced penalty of fine :

Provided further that the enhanced punishment would not in any way effect the minimum sentence prescribed for the offence of possession of a working still for the manufacture of any intoxicant.”

D. B. LAL,  
Secretary.

